

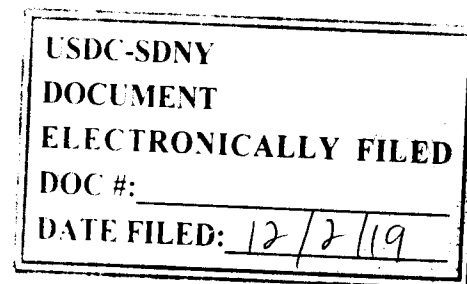


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November 29, 2019

VIA ECF

Honorable Judge Ronnie Abrams
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007



Re: *Jon R. Morgan v. Living Proof, Inc., Civil Action No. 1:19-cv-07215-RA*

Dear Judge Abrams:

The undersigned represents Plaintiff Jon R. Morgan in the above-referenced matter. The undersigned submits this letter in accordance with Your Honor's Individual Motion Practices and Rules, to request an adjournment of the Initial Conference scheduled for December 6, 2019, at 11:30 a.m. in Courtroom 1506 located at 40 Foley Square, New York, New York.

The undersigned respectfully requests an adjournment of the Initial Conference since Defense counsel has yet to enter a Notice of Appearance. By way of background, Defense counsel had initially contacted the undersigned via telephone sometime in September of 2019, where the parties discussed the matter. Defense counsel had then followed up via email on October 8, 2019, to continue discussions. The undersigned was away that week in observance of the Jewish High Holidays. After returning from the Holidays, the undersigned had emailed Defense counsel on multiple occasions (November 6, 9, 13 and 19th). Defense counsel had finally responded on November 19, 2019, in order to schedule a time for a phone call regarding the matter. The undersigned responded with availability and invited Defense counsel to reach out during his proposed times. The undersigned attempted to call Defense counsel the following week but received his voicemail. Further, in order to comply with this Court's Initial Pretrial Conference Order, the undersigned had emailed Defense counsel on November 21, 26 and twice on the 27th requesting Defense counsel enter a Notice of Appearance along with the parties obligation to comply with this Court's Initial Pretrial Conference Order. It is now November 29, 2019, the undersigned has yet to receive an email or phone call back from Defense counsel.

This is the first request for an adjournment of the Initial Conference. No other deadlines have been scheduled in this case, and accordingly, the requested adjournment will not impact any dates previously scheduled after the current initial conference date.

SHALOM | **LAW**
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We thank the Court for its attention to this matter.


Sincerely,



Jonathan Shalom

Application granted. The initial status conference scheduled for December 6, 2019 is hereby adjourned *sine die*. No later than December 9, 2019, Plaintiff shall inform the Court whether he intends to move for default.

SO ORDERED.


Hon. Ronnie Abrams
12/2/2019